

ORDINANCE NO. R- 2016-14 AMENDED TAX CODE(S) 09-731-17-162-010

AN ORDINANCE TO REZONE CERTAIN REAL ESTATE IN THE CITY OF EVANSVILLE, STATE OF INDIANA, MORE COMMONLY KNOWN AS 2000 Lincoln Ave (here insert common address) Ave
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF EVANSVILLE, INDIANA, AS FOLLOWS, TO WIT:

Section 1: That Ordinance no. G-82-51, being the Municipal Code of the City of Evansville, Indiana, 1982, and more particularly Title XV, Chapter 153, by making certain changes in Atlas 1, which is made part of said section with respect to the following described real estate located in the City of Evansville, Vanderburgh County, State of Indiana:

see attached Legal
by changing the zoning classification of the above-described real estate from R-1 to C-1, and said real estate is hereby so rezoned and reclassified.

Section 2. The Director of the Area Plan Commission of Evansville and Vanderburgh County is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on said Atlas 1 as set out in Section 1 of this Ordinance, and to make notation in ink thereon of reference to the number of this ordinance and the date of final publication of the amendatory ordinance after its passage and approval; however, failing to do so shall not invalidate this Ordinance.

Section 3. This ordinance shall be in full force and effect from and after its passage by the Common Council, its approval by the Mayor, and its publication as required by law, which publication is now ordered.

Section 4. The subject property herein rezoned shall be used and developed only in accordance with the use and development commitment which is incorporated as part of this Petition for Rezoning and recorded in the office of the Recorder of Vanderburgh County, Indiana on _____ at Instrument No.: _____. No improvement location permits shall be issued unless the proposed use is in compliance with said recorded use and development commitment.

Passed by the Common Council of Evansville, Indiana, on this 11 day of JULY, 20 16
[Signature]
President

ATTEST:

Gawa Windhorst
City Clerk

Presented to me, the undersigned, City Clerk of the City of Evansville, Indiana, to the Mayor of said City, the 13 day of July, 20 16

Gawa Windhorst
City Clerk

Having examined the foregoing Ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said Ordinance, and return same to the City Clerk this 14th day of July, 20 16, at 4:30 o'clock pm.

[Signature]
Mayor of the City of Evansville, Indiana

THIS INSTRUMENT PREPARED BY: _____

FILED

JUN 20 2016

Gawa Windhorst
CITY CLERK

Rezoning Description
R-1 to C-1

Part of the east half of the northwest quarter of Section 30, Township 6 South, Range 9 West in Knight Township, Vanderburgh County, Indiana and being more particularly described as follows:

Commencing at the southeast corner of said half quarter section; thence along the south line thereof, West 1925.00 feet; thence North 30.00 feet to the true point of beginning; thence West 30.00 feet; thence North 30.00 feet; thence East 30.00 feet; thence South 30.00 feet to the true point of beginning, containing 900 square feet.

USE AND DEVELOPMENT COMMITMENT

WHEREAS the Undersigned, _____ (Name) Katherine L. Loewen Petitioner, is the owner of certain real estate situated in the City of Evansville, Indiana, commonly described as (Address) 7000 Lincoln Avenue, which real estate is more particularly described as follows, to wit:

Rezoning Description R-1 to C-1	Part of the east half of the northwest quarter of Section 30, Township 6 South, Range 9 West in Knight Township, Vanderburgh County, Indiana and being more particularly described as follows: Commencing at the southeast corner of said half quarter section; thence along the south line thereof, West 1925.00 feet; thence North 30.00 feet to the true point of beginning; thence West 30.00 feet; thence North 30.00 feet; thence East 30.00 feet; thence South 30.00 feet to the true point of beginning, containing 900 square feet.
------------------------------------	---

WHEREAS, as the real estate is currently classified as a(n) R-1 Zoning district under the Evansville Zoning Code and is so indicated on the zoning maps maintained by the staff of the Evansville-Vanderburgh County Area Plan Commission; and

WHEREAS, Petitioner has requested that the Real Estate be reclassified to zoning district C-1; and

WHEREAS, Petitioner is desirous of accommodating the concerns of the surrounding property owners by making a written commitment concerning the use and development of the Real Estate pursuant to I.C. 36-7-4-613;

NOW, THEREFORE, in consideration of the foregoing, petitioner makes the following use and development commitment:

1. Use of the Real Estate shall be limited to the following:

1. The height of the new sign will not exceed 6'6".
2. The sign will be programmed to be dimmed between the hours of 10pm and 6am, and for one (1) hour each morning and one (1) hour each afternoon during the hours of peak school traffic.

2. All commitments and undertakings herein expressed shall be binding on the petitioners and the petitioners' heirs, legal representative, successors and assigns, and shall run in the favor of the Area Plan Commission of Evansville-Vanderburgh County and all the owners of real estate lying within the radius of one (1) mile from the real estate described and shall be enforced by invoking any legal, equitable or special remedy, including specific performance, injunction or equitable relief pursuant to the manner of enforcement as set forth in I.C. 36-7-4-613, 36-7-4-1013, and 36-7-4-1014. If it is necessary to initiate administrative or judicial

proceedings to enforce any such commitment or undertaking, the person or entity obtaining enforcement in such proceedings shall also recover its reasonable attorneys' fees and costs of suit from the undersigned.

IN WITNESS WHEREOF, this Use and Development Commitment is hereby made and entered into this 20 day of June, 2016 by Katherine L. Loewen for the purpose set forth herein.
2016 Church Council President
St. John's East UCC

Katherine L. Loewen

Signature

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

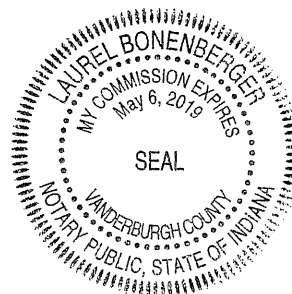
Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Katherine L. Loewen who acknowledged the execution of the foregoing Use and Development Commitment to be his free voluntary act and deed.

WITNESS my hand and Notarial Seal this 20th day of June, 2016.

NOTARY PUBLIC

A resident of Vanderburgh County, Indiana.

My commission expires: may 6, 2019



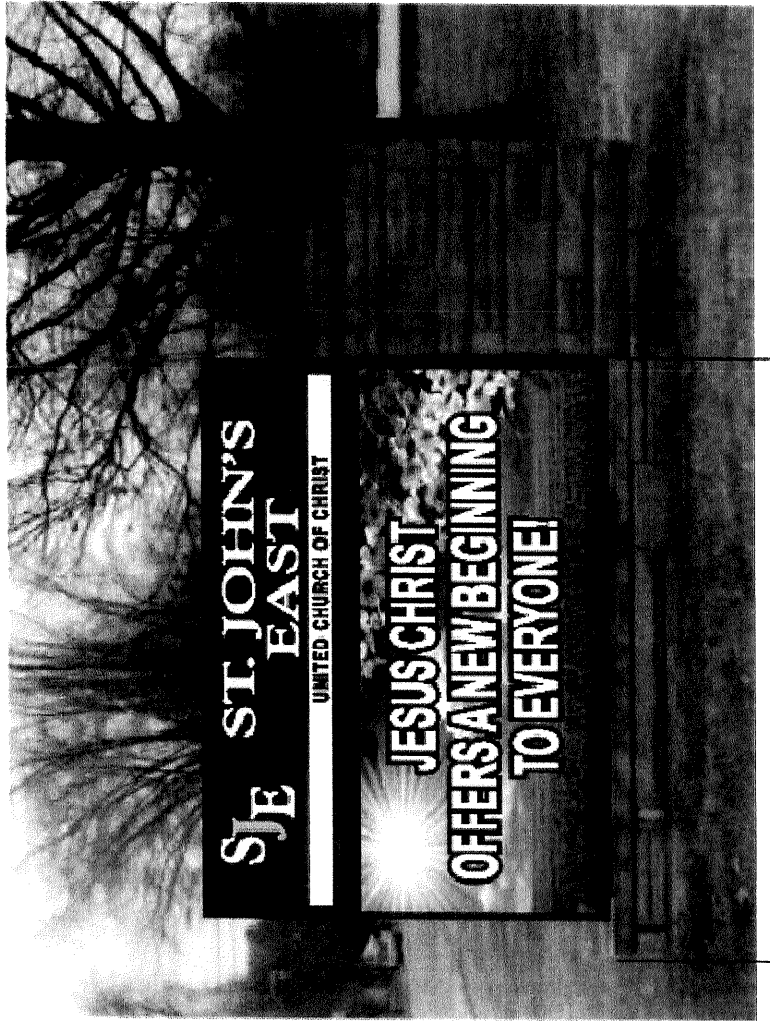
This instrument prepared by: (Name) Laurel Bonenberger
(Address) 1900 Hirschland Rd ; Evansville, IN 47715
(Phone) 812-469-9913

Before



Revision #4 6-14-16

23" x 7'-3" internally illuminated double face cabinet sign
 Pantone 7629, white and light gray "J" in SJE
 3' x 7' full color EMC with 41" x 7'-3" cabinet
 7'-3"



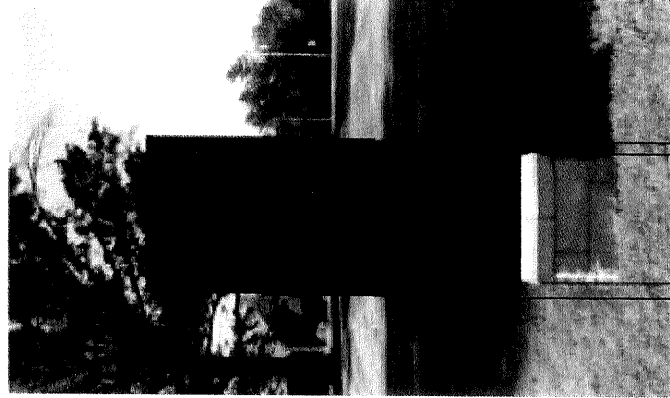
23"

41"

base
1" tall

93.5" wall

Side view



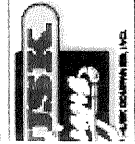
20"

24"



Emailed: 6-14-16

All Rights Reserved- Copyright 2016 - HUSK COMPANIES, INC.



1116 1st Ave
 Greenville, IN
 47703
 Phone: 800-888-8888
 Fax: 800-888-8888

Description:	Sales Person: Kathy
Date of Drawing: 6-14-16	Accepted by:
Location:	Revision: #4
Designer/Graphic Artist: Sun	

Find us on
 Facebook
 and our website:
 www.huskdesigns.com

The Sign is the Property of HUSK
 Companies, Inc. and is not to be
 copied, changed or altered in any way
 without the written permission of HUSK
 Companies, Inc. Any other use or reuse
 without written permission of HUSK
 Companies, Inc. is strictly prohibited and
 subject to the above stated terms and conditions.

2016-12 -PC

ORDINANCE NO. R-

COUNCIL DISTRICT:

2016-14 AMENDED

Ward 4 Dan McGinn

PETITIONER Katherine L. Loewen PHONE 812-853-0370

ADDRESS _____ ZIP CODE _____

OWNER OF RECORD St. John East United Church of Christ PHONE 812-473-0668ADDRESS 8466 Terrace Dr Newburgh IN ZIP CODE 47715
47630

1. Petition is hereby made for the amendment of the "Zoning Maps" of the Area Plan Commission of Evansville and Vanderburgh County, pursuant to the Indiana Code and the Municipal Code of Evansville.

2. Premises affected are on the N side of Lincoln a distance of 100 feet East
(N.S.E.W.) of the corner formed by the intersection of Plaza Dr and Lincoln.Registered Neighborhood Association (if applicable) Plaza Park

LEGAL DESCRIPTION:

SUBDIVISION See Attached BLOCK _____ LOT NO. _____

(where applicable - if not in a subdivision, insert legal here or attach to ordinance)

3. The commonly known address is 7000 Lincoln Ave4. The real estate is located in the Zone District designated as R-15. The requested change is to (Zone District) C-1 with a use and Development Commitment6. Present existing land use is Existing Sign Structure7. The proposed land use is Sign containing LED message unit

8. Utilities provided: (check all that apply)

City Water X Electric X Gas X Storm Sewer XSewer: Private _____ Public X Septic _____

9. All attachments are adopted by reference.

10. The owner, or attorney for the owner, hereby certifies that the owner of record shown above owns 50% or more of the area of the above described real estate. I affirm under the penalties for perjury that the foregoing representations are true.

(REQUIRED) Signatures:

DATE 4/4/16 PETITIONER Katherine L. Loewen
(when signed) PRINTED NAME Katherine L LoewenDATE 4/4/16 OWNER OF RECORD Katherine L. Loewen
(when signed) PRINTED NAME Katherine L Loewen on behalf of
St John East UCCREPRESENTATIVE FOR PETITIONER NAME _____
(Optional) ADDRESS/ZIP _____
PHONE _____

FILED

JUN 20 2016

Paula Windner
CITY CLERK

